Joint Advisory Committee on Computer Crimes

September 21, 2004

Considerations

- ## A. Definitions
  - Broad definition, specific crime
  - Narrow definition, more general crime
- ## B. Intent v. Action
  - The more general the action, the more specific the intent
  - The higher the penalty, the more specific the action and intent
- ## C. Cost Benefit Analysis
  - The more difficult it is to detect/prosecute, the higher the penalty

Task Force Issues

- Completeness of the Act
  - Procedural Issues
  - Placement of Code Sections
- Penalties
  - Adequacy
  - Consistency

Potential Approaches

- Define property and limit to certain crimes
- Using a computer to (list specific statutes here) is a crime
  - Combine all provisions (pornography, property, person, etc.) with each violation being a separate crime
  - Separate penalties based on property value, injury to person, etc.

Legislative Proposals

- Using a Computer Contaminant
  - Use existing concepts of property destruction to make hacking activities criminal
- Computer Invasion
  - Replacing the term trespass and expanding current law
  - Trespass is a different concept

- # Other Issues, Comments, Questions